ESTTA Tracking number:

ESTTA551082 07/29/2013

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91209565
Party	Defendant BioMed Realty Trust, Inc.
Correspondence Address	JOHN L SLAFSKY WILSON SONSINI GOODRICH & ROSATI 650 PAGE MILL ROAD PALO ALTO, CA 94304-1050 UNITED STATES jslafsky@wsgr.com, trademarks@wsgr.com
Submission	Other Motions/Papers
Filer's Name	John L. Slafsky
Filer's e-mail	jslafsky@wsgr.com, trademarks@wsgr.com
Signature	/John L. Slafsky/
Date	07/29/2013
Attachments	Consent Motion to Amend Recitation of Services.pdf(76520 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DISCOVER FINANCIAL SERVICES,) Opposition No: 91209565	
Opposer,) CONSENT MOTION TO) AMEND RECITATION OF SERVICES	
v.)	
BIOMED REALTY TRUST, INC.,) Serial No. 85625491	
Applicant.)	
)	

Applicant BioMed Realty Trust, Inc. ("Applicant"), through its undersigned attorneys, hereby submits this Consent Motion to Amend Application Serial No. 85625491 (the "Application") pursuant to 37 CFR § 2.133.

Applicant has received the consent of Opposer Discover Financial Services to file this motion.

Applicant respectfully requests the Board to amend the Application to show the following recitation of services (amended language is underlined and struck through, as applicable):

<u>Class 36</u>: <u>commercial</u> real estate acquisition, leasing, and management services; <u>commercial</u> real estate investment services; <u>commercial</u> real estate investment trust services, <u>all not relating to home mortgages</u>;

<u>Class 37</u>: <u>commercial</u> real estate development, all not relating to home mortgages

Dated: July 29, 2013

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI A Professional Corporation

By:

John L. Slafsky

Attorneys for Applicant BIOMED REALTY TRUST, INC.

Please address all communications concerning this proceeding to:

John L. Slafsky Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, California 94304-1050 Telephone: (650) 493-9300

Fax: (650) 493-6811 trademarks@wsgr.com

CERTIFICATE OF SERVICE BY MAIL

I, Elvira Minjarez, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service on this date.

On this date, I served **CONSENT MOTION TO AMEND RECITATION OF SERVICES** on each person listed below, by placing the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Maya L. Tarr Cowan, Liebowitz & Latman, P.C. 1133 Avenue of the Americas New York, NY 10036-6799

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on July 29, 2013.

Elvira Minjarez